

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re State Street Bank and Trust Co. ERISA Litigation

This document relates to:

No. 07 Civ. 9319

No. 07 Civ. 9687

07 Civ. 8488 (RJH)
(Consolidated Actions)

NASHUA CORP. PENSION PLAN COMMITTEE, ET
AL.

Plaintiffs,

v.

STATE STREET BANK AND TRUST CO., ET AL.

Defendants

08-CV-0265 (RJH)

**PROPOSED ORDER CONSOLIDATING ACTIONS,
APPOINTING LEAD PLAINTIFFS, AND
APPROVING THEIR SELECTION OF INTERIM CLASS COUNSEL**

WHEREAS, a pre-trial conference was held in this matter on January 4, 2008;

WHEREAS, by Order of the Court dated January 8, 2008, the Court consolidated for pre-trial purposes only pursuant to Rule 42(a) of the Federal Rules of Civil Procedure the putative class actions captioned *Unisystems, Inc. et al. v. State Street Bank and Trust Co., et al.*, 07 Civ. 9319 (the “*Unisystems Action*”) and *Merrimack Mutual Fire Insurance Co. et al. v. State Street Bank and Trust Co., et al.*, 07 Civ. 9687 (the “*Andover Action*”) with the individual action captioned *Prudential Retirement Insurance and Annuity Company v. State Street Global Advisors, Inc.*, 07 Civ. 8488 (the “*Prudential Action*”) under the caption “In re State Street Bank and Trust Co. ERISA Litigation.”

WHEREAS, on January 14, 2008, another putative class action, that had been pending in the District of Massachusetts, was filed in this Court under the caption *Nashua Corporation Pension Plan Committee, et al. v. State Street Bank and Trust Co., et al.*, No. 08-CV-0265 (RJH) (the “*Nashua* Action”);

WHEREAS, the Court has been advised that plaintiffs and their counsel in the *Andover*, *Unisystems* and re-filed *Nashua* actions have agreed to the consolidation of those respective putative class actions under the common leadership structure provided for herein, and the Court has been provided with information concerning the qualifications and experience of the class plaintiffs’ proposed counsel;

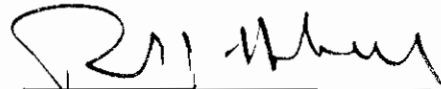
IT IS HEREBY ORDERED THAT:

1. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the *Nashua* action and any subsequently filed or transferred related actions are **CONSOLIDATED** for pre-trial purposes only with the previously consolidated *Unisystems*, *Andover* and *Prudential* actions, under the same caption.
2. In accordance with this Court’s January 8, 2008 Order, filings in any of the actions consolidated pursuant to this Order should indicate in the caption the docket numbers of the particular action(s) to which the document relates.
3. Named plaintiffs Warren Cohen as Trustee of the Unisystems, Inc., Employee’ Profit Sharing Plan (the “*Unisystems Plan*”), Alan Kober as Trustee of the Andover Companies Employee Savings and Profit Sharing Plan (the “*Andover Plan*”), and John L. Patenaude, Margaret Callan and Karen Adams (as members of the Nashua Corporation Pension Plan Committee) (the “*Nashua Plan*”) (collectively, the “*Plans*”) are hereby

APPOINTED to serve as Lead Plaintiffs in the above-captioned action and any other related class actions that may be consolidated pursuant to this Order.

4. The Court hereby APPROVES the Lead Plaintiffs' choice of counsel, namely Bernstein Litowitz Berger & Grossmann LLP, Keller Rohrback L.L.C. and Berman DeValerio Pease Tabacco Burt & Pucillo and hereby APPOINTS them as Co-Lead Counsel and Interim Class Counsel for the proposed Class pursuant to Fed. R. Civ. P. 23(g)(2)(A).

SO ORDERED.


Richard J. Holwell, U.S.D.J.

January 31, 2008